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AMENDED CHARTER

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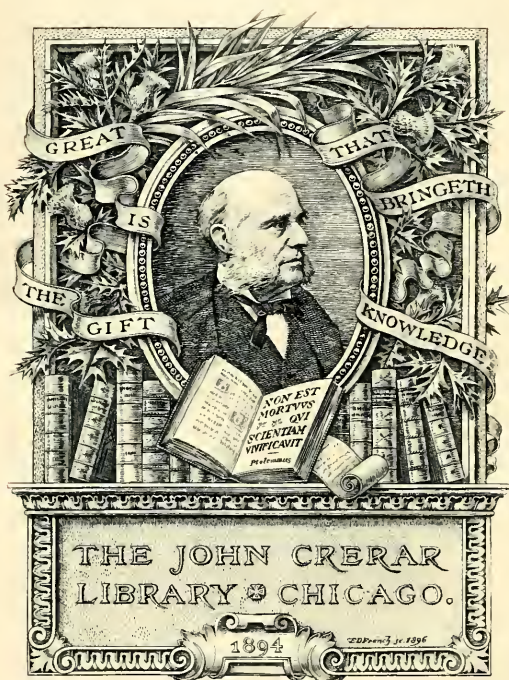
CITY OF CHICAGO.



CHICAGO:

E. B. MYERS & CHANDLER,
LAW BOOKSELLERS AND PUBLISHERS,
87 WASHINGTON STREET.

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CITY CHARTER.

AN ACT

Supplementary to "An Act to reduce the Charter of the City of Chicago, and the several acts amendatory thereof, into one act, and to revise the same," approved February 13, 1863, and the several amendments thereto.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

CHAPTER I.

ASSESSMENTS, TAX COMMISSIONER, ETC.

SECTION 1. The mayor shall, on the first Monday of March, A. D. 1867, or as soon thereafter as practicable, and quadrennially thereafter, appoint, by and with the advice and consent of the common council, a commissioner of taxes, who shall have been a resident of the city for three years, and a freeholder in said city for at least one year prior to his appointment. Said commissioner shall take and subscribe an oath of office, and shall enter into a bond in the penal sum of ten thousand dollars, with two or more sureties to be approved by the mayor, for the faithful performance of his official duties. The salary of said commissioner shall be annually fixed in the appropriation bill by the common council.

SEC. 2. The commissioner first appointed shall, immediately after his qualification, proceed to divide said city into as many and such convenient assessment districts, not exceeding eight, as he shall deem expedient, which shall be known and designated numerically: *Provided, however,* in making such districts, regard shall be had to the natural divisions of said city: *And provided further,* That such division of said city into districts shall be sub-

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mitted to, and be subject to the approval of the common council: *And provided further*, That such districting shall only be subject to modification or alteration by a vote of three-fourths of all the aldermen elected, such vote to be taken by ayes and nays, and entered on the records of the council.

SEC. 3. Said commissioner shall keep in suitable books to be provided for that purpose, a record of all information which he may be able to obtain in respect to the taxable property and persons liable to taxation in said city, and all changes in the ownership of real estate in said [city], of which he can obtain information. He shall have power to appoint suitable persons as clerks in said office, the number to be limited and salaries fixed by the common council, whose business it shall be, under his direction, to make and from time to time amend and correct the record of the property in the office of said commissioner, both as regards the ownership and extent of such property, by a daily examination of maps and conveyances which shall be left for record in the office of the recorder of Cook county, and also all maps in the office of the board of public works, which examination he shall be entitled to make free of all charges whatsoever during office hours.

SEC. 4. The common council shall, on the first Monday of March, A. D. 1867, or within thirty days from said time, and biennially thereafter, appoint by ballot one assessor for each division of the city, who shall be a freeholder in said division, and have resided therein at least one year preceding his appointment. The said commissioner of taxes, and the said assessors, shall constitute the "Board of Assessors," the said commissioner being *ex officio* president of said board.

SEC. 5. Said assessors, so appointed, shall take and subscribe an oath of office, and shall enter into bonds in the penal sum of five thousand dollars, with two or more sureties, to be approved by the mayor, for the faithful performance of their duties. The commissioner of taxes is hereby authorized to administer any oath required to be taken by this act or by any law of this State. The said assessors are also hereby severally authorized to administer

any oath required by this act, or by the revenue or assessment laws of the State.

SEC. 6. The assessors shall, as soon after the first Monday of May in each year, as may be, under the direction and supervision of the commissioner of taxes, proceed to examine and determine the valuation of the taxable real and personal estate in their respective districts. Schedules of all the taxable real estate in the several districts shall be furnished by the commissioner of taxes to aid them in the performance of their duties, upon which they shall enter their valuations. Said commissioner, in making out said schedules, may take as his guide the assessment list or collector's book of the previous year, and the list of subsequent conveyances, and such other data as he can find to make them as nearly correct as possible. Said appraisal, together with their appraisal of all the personal estate taxable in said city, shall be completed and filed in the office of said commissioner on or before the first Monday of August, in each year, unless further time shall be granted by the common council.

SEC. 7. Said assessors shall not in any case assess taxable real or personal estate any less than its real or true value, as defined by the State revenue laws. All personal property of every nature and kind, having its actual *situs* within the city, shall be assessed for municipal purposes, in the district where the same may be found, whether the owner resides in the city or not; this provision to extend to and include the proportion of rolling stock of all such railroad or railway companies as run cars or trains into the city, by lease of road-bed or track, or by contract or arrangement with any other railway company or corporation. Such proportion to be ascertained and apportioned in accordance with the statutes regulating the assessment of the rolling stock of such companies the same as though such company owned the track or road-bed.

SEC. 8. The assessors of the several districts shall be furnished with the necessary blanks to take a list of taxable property in their several divisions, by the commissioner of taxes. They shall call at the office, place of business or residence of each person required by law to list his property, and at the office of every

incorporated company, and require such person, or the president, cashier, treasurer, secretary or other officer of such incorporated company, to make a correct statement of his or its taxable property, in accordance with the provisions of law; and the person listing the property shall enter a true and correct statement of such property, and the value thereof, in a written or printed blank, prepared for that purpose, which statement, after being filled out, shall be signed by the person listing the property, and shall also be verified by his oath or affidavit.

SEC. 9. In every case where any person shall neglect or refuse to make out and deliver to the assessor the statement required by this act, or by the revenue laws of the State, verified by oath or affirmation, in addition to the penalties in such case provided by such laws, the common council of said city may provide such other and further penalties as will secure compliance.

SEC. 10. In every case where any person or officer of a corporation, whose duty it is to list any personal property, moneys, credits, investments in bonds, stocks, joint stock companies or otherwise, or any property of a personal nature liable to assessment for taxation, shall have refused or neglected to list the same when called on for that purpose by the assessor, or to take and subscribe an oath or affirmation in regard to the truth of his statement, required to be made as aforesaid, or by any law of the State, when required by the assessor, the assessor shall enter opposite the name of such person in an appropriate column, "refused to list," or "refused to swear;" and in every case where any person required to list property for taxation shall have been absent, or unable from sickness to list the same, the assessor shall enter opposite the name of such person, in an appropriate column, the word "absent" or "sick." When the assessors shall have completed the assessment of the taxable real and personal estate of said city, they shall file the same in the office of the commissioner of taxes, and fix upon a day for the hearing of objections thereto, and the said commissioner shall give notice of the time and place of such hearing by six days' publication thereof in the corporation newspaper. Any person feeling aggrieved by the assessment

of his property, may appear at the time specified and make his objections.

SEC. 11. The said assessors, together with the commissioner of taxes, constituting the board of assessors, shall meet at the time and place designated, to revise and correct their assessments. They shall hear and consider all objections which may be made, and shall have power to make all proper corrections and supply omissions in the assessments, and, for the purpose of equalizing the same, to alter, add to, take from, and otherwise correct and revise the same. They shall continue in session during the business hours of each and every secular day for the period of twenty successive days. Thereafter no change, amendment, abatement or alteration shall be made, nor shall any tax or portion thereof be refunded. A majority of said board shall constitute a quorum.

SEC. 12. When said revision shall have been completed, the commissioner of taxes shall enter, in one or more books to be prepared for that purpose, a complete list of all the taxable real estate in said city, according to the schedules as returned and revised by the board of assessors, showing, in a proper column, to be ruled for that purpose, the names of the different owners, so far as known to the said assessors; and in another column, the amount of the valuation made in each case. Said books shall also have ruled therein an appropriate column for extending or inserting the amount of the tax which may be levied on said property. Said book or books shall together constitute the tax list of real estate for such year. The commissioner of taxes shall also enter in another book or books, to be prepared for that purpose, a complete list of the taxable personal estate in said city, as returned and revised by the assessors, showing in the proper column the names of the different persons whose property has been assessed, and in other columns the valuations made by the assessors. Said books shall also have ruled therein, an appropriate column for extending or inserting the taxes which may be levied thereon. Said book shall constitute the personal tax list for such year. The commissioner of taxes shall add up the valuations in each list, and the aggregate amount thereof shall be entered by him at the foot of the appropriate column on the last page. When said

tax lists shall have been so completed, they shall be signed by said assessors, or a majority of them, and the tax commissioner, after having been ascertained to be correct, and left in the custody of said commissioner of taxes, and shall constitute the only record to be referred to in any case in which their said assessments may be drawn in question.

SEC. 13. The common council shall thereupon, by an ordinance or resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, (not exceeding the authorized per centage,) particularly specifying the purposes for which the same are levied.

SEC. 14. It shall be the duty of the commissioner of taxes to estimate the several taxes levied by the common council, computing them together as one tax, and to insert the total amount of such taxes in the appropriate column of the several tax lists, opposite to the person or property chargeable therewith. When completed, the tax commissioner shall attach to each of said tax lists a warrant, to be signed by the mayor, comptroller and tax commissioner, and the city clerk shall affix the corporate seal and countersign the same, directed to the collector, commanding him to make, levy and collect, as the taxes for such year, the several sums of money set opposite to the real and personal estate, or persons in said tax lists mentioned or described, of the goods and chattels of the respective owners of such real and personal estate; which warrants shall also designate the names and rates of the several taxes included therein.

SEC. 15. Said tax lists, with the warrants attached, shall be delivered to the collector by the comptroller, as heretofore, who shall in all things proceed as now required by law.

SEC. 16. Every person who shall be guilty of willful and corrupt false swearing or affirming in taking any oath required by this chapter, shall be deemed guilty of willful and corrupt perjury, and shall be punished accordingly.

SEC. 17. The common council, in order to remedy any unforeseen defect or omission, shall have the power at any time, upon the recommendation of the commissioner of taxes, by ordinance, to so modify or add to the requirements of this chapter, as to perfect the assessments to be made in said city for municipal purposes: *Provided, however,* that no such modification or addition shall be made unless at a regular meeting, after due publication thereof, and then only by a vote of two-thirds of all the aldermen elected, said vote to be taken by ayes and noes, and entered on the minutes of the council; and in case the same is vetoed by the mayor, it shall require three-fourths of all the aldermen elected to pass the same over such veto.

The board of assessors hereby created shall perform all the duties in relation to assessing property, for the purpose of levying the taxes imposed by the common council. The assessors, in the performance of their duties, shall have the same powers, and be subject to the same liabilities as are or may be given by law to town assessors, unless otherwise provided in this chapter.

The State laws for the assessment of all taxable real and personal property now in force, or that may hereafter be adopted, unless in conflict with this chapter, or the acts to which this is an amendment, shall apply and govern in making municipal assessments.

SEC. 18. Personal property shall be listed for municipal purposes, with reference to the quantity on hand and owned on the first day of April in the year for which the property is required to be listed, including the property purchased on that day.

SEC. 19. When any person shall commence merchandizing in said city after the first day of April in any year, the average value of whose personal property employed in merchandizing shall not have been previously entered on the assessor's list for taxation in said city, it shall be the duty of such person to make out a sworn statement of the probable average value of the personal property by him intended to be employed in such business, until the first day of April thereafter, and deliver the same to the tax commissioner, who shall enter the same on the tax list of the proper division or district, and shall pay to the collector of said city a

sum which shall bear the same proportion to the levy for all purposes on the average value so employed, as the time from the day on which he shall commence merchandizing aforesaid to the first day of April next succeeding shall bear to one year.

SEC. 20. When any person, firm or corporation shall commence or engage in the business of insurance, banking, dealing in stocks of any description, or in buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, or other kind of writing obligatory, or in any other business whatever, after the first day of April in any year, the average value of whose personal property so employed in such business shall not have been so entered on the assessor's list for taxation in said city, it shall be the duty of such person, or firm, or such corporation, by its president, secretary, or principal accounting officer, to make a sworn statement, and deliver the same to the tax commissioner, giving fully the probable average value of the property by him, them or it intended to be employed in such business until the first day of April thereafter, which amount shall be entered on the tax list, and the tax collected as in other cases.

SEC. 21. Should any person, firm or corporation fail or neglect to make out sworn statements of their property as required by the two preceding sections, and report the same to the tax commissioner, it shall be the duty of the assessors to assess them as therein required, as nearly as may be, adding thereto ten per cent. in addition to the existing provisions of law.

SEC. 22. If any real or personal property shall have been heretofore or shall hereafter be omitted in the assessment, or on which the city for any cause shall have failed to collect the tax of any year or number of years, the same, when discovered or ascertained, shall be assessed by the assessor for the time being and placed on the assessment list with the arrearages of tax that should have been assessed, with six per cent. interest thereon from the time the same ought to have been paid.

CHAPTER II.

BOARD OF PUBLIC WORKS.

SECTION 1. The board of public works shall consist of three commissioners, who shall be appointed on or before the first Monday of April next by the mayor of the city of Chicago, with the advice and consent of the common council—one from the south, one from the west and one from the north divisions of said city, each of whom shall have been a resident of said city at least three years and a resident freeholder in the division of said city for which he is appointed, at least one year immediately preceding such appointment. Said commissioners, when appointed, shall hold their offices for the term of years following: The one for the south division of said city, for six years; the one for the west division of said city, for four years; the one for the north division of said city, for two years, and until the appointment and qualification of their successors. The term of office of one commissioner of said board shall expire every second year, so that one commissioner of said board shall be appointed every second year, from the division of the city in which the commissioner resides whose term of office expires; such appointment being for the full term of six years. Should a vacancy occur, it shall be filled by appointment by the mayor, with the advice and consent of the common council, for the unexpired term.

SEC. 2. All acts or parts of acts now in force, relating to the board of public works as now constituted, not inconsistent with the provisions of this act, are continued in force and shall apply to the board of public works as provided for in this act, and all the powers and duties conferred therein on the present board shall be and are hereby conferred upon the board of public works as provided for by this act; and all acts or parts of acts inconsistent herewith shall be repealed from and after the first Monday of April, A. D. 1867, and all such acts or parts of acts to be continued in full force and effect until said date. The terms of office of the present board of public works shall expire on said day, or so soon as their successors are appointed and qualified after such

date. The salary of the board of public works, as provided for in this act, shall be not less than three thousand dollars annually, to be fixed by the common council.

SEC. 3. The board of public works of said city, in addition to the power hereinbefore conferred, are hereby authorized, from time to time, as it shall be deemed by them for the interest of said city, so to proceed, to advertise for proposals for the construction or reconstruction, or relaying of all or any portion of the sidewalks which may be required to be constructed or reconstructed, or relaid during the whole or any part of the municipal fiscal year in which such proposals are received, according as the same shall be ordered by the common council or by said board, according to the provisions of the act of which this is supplementary, the general provisions of said act relative to the letting of work and the execution of contracts, except so far as inconsistent with the powers hereby granted, to apply to this section.

SEC. 4. In case the prosecution of any public work should be suspended in consequence of the default of any contractor, or in case the bids for doing any such work should be deemed excessive, or the persons making proposals not responsible or proper persons, the board of public works may, if the common council shall, by resolution, by a three-fourths vote of all the members elected, authorize them to do so, employ workmen and procure the necessary tools and machinery and materials, to perform or complete any improvement ordered by the council, provided the expense thereof shall not exceed five thousand dollars.

SEC. 5. The common council shall have power to cause public sewers to be constructed and laid in the streets and alleys and public grounds of said city; to establish or change the dock lines of Chicago river and of Chicago harbor so as to facilitate navigation on the same; and to cause water and gas service pipes, with their necessary stop-cocks and other fixtures, to be constructed and laid so as to connect with the gas or water mains in the streets of said city.

SEC. 6. The provisions of the acts to which this is supplementary as to the manner of making application for any improvements to be executed by said city, are hereby made to apply to the improvements specified in the foregoing sections.

SEC. 7. After a street has been filled, curbed, macadamized, or paved, or filled, curbed and graveled, it shall be lawful for the common council to provide for the payment of any subsequent improvement in whole or in part out of the general fund.

SEC. 8. When in any case it shall be deemed necessary by the board of public works to cause any sidewalk to be raised, lowered, repaired or relaid, or any private drain to be raised, lowered, repaired or cleaned, it shall be lawful for said board to require the owner of the premises in front of, adjacent to or upon which said improvement is to be made, to make the same forthwith, or within such reasonable time as the board of public works may prescribe, upon written notice to that effect; or the board of public works may cause the work to be done and paid out of any moneys in the treasury at their disposal. Said board shall then report to the common council the amount of said expenditure, giving a description of the lots or premises liable therefor, and the amount for which each is chargeable. The common council shall thereupon assess the said expenses, by an order, ordinance or resolution, upon such lots respectively, and the same may be collected by warrant and sale of the premises as in other cases.

In like manner when the common council shall have ordered the construction, or reconstruction, or repair of any sidewalk, private drain, or gas or water service pipe, it shall be lawful for said board to cause the work to be done and paid for as above, or by an agreement with a contractor, payment to be made out of the special assessment to be levied for the same, and shall then report to the common council the cost and expense of said work, with all proceedings relative thereto, giving a description of the lots and premises to which said expense is chargeable, and the common council shall thereupon assess the said expenses upon such lots respectively, and the same may be collected by warrant and sale of the premises, as provided above.

A suit may also be maintained against the owner of such premises for the recovery of such expenses, as for money paid and laid out for his use and at his request. The common council may also, by ordinance, impose such penalties upon the owners aforesaid, for any neglect or refusal to comply with the aforesaid requirements, not exceeding twenty dollars for each day's neglect, as to the said common council shall seem most proper. All assessments authorized under this section shall be collected by said city, with damages at the rate of one per cent. a month thereon for each and every month that any such assessment shall remain unpaid, thirty days after the time when public notice shall have been given by the city collector that the warrant for such assessment has been received by him for collection.

SEC. 9. Section 11 of chapter IX of said act, approved February 13, 1863, is hereby so amended that in case of assessments made in accordance with the foregoing section, damages on any assessments which shall remain unpaid after the collector shall give public notice that he has received the warrant for its collection, shall begin to accrue at the rate of one per cent. a month thirty days after the date [of] such notice.

SEC. 10. It shall be lawful for the common council, on the recommendation of the board of public works, under the provisions of section 38 of chapter VII of the said act, approved February 13, 1863, to levy a tax for the whole or any part of the expense for an improvement of the character specified in said section.

SEC. 11. Under the provisions of section thirty-four (34) of chapter V, of the act to which this is supplementary, approved February 13, 1863, the common council is hereby authorized, in the event that any improvement shall be ordered after the making of the annual appropriation, some portion of the expense of which shall be assessed by the commissioners of the board of public works on some lot or lots of land owned by said city, to appropriate and borrow money for the payment of such assessments, as is provided for cases enumerated in said section.

SEC. 12. For the purposes specified in chapter XV of the act approved February 13, 1863, of which this is amendatory and supplementary, the said city shall have power to borrow from time to time, a sum of money not exceeding one million of dollars, and to issue bonds therefor; and all the provisions of said act, as to the issue, custody and sale of water loan bonds, and the custody and disbursement of the proceeds thereof, shall apply to the loan hereby authorized, except as herein otherwise provided.

SEC. 13. If from any cause the city has, heretofore, or shall hereafter fail to collect any tax on the general tax warrant of said city, in any year, or in case the receipt of the revenues of said city shall fall short of the amounts appropriated by the common council, it shall be lawful for the said council to authorize the mayor and comptroller to borrow a sufficient amount of money to meet any such deficiency, for any length of time not exceeding the close of the next municipal year, and to issue and negotiate bonds or certificates of indebtedness therefor, which said amounts shall be provided for in the annual appropriation bill of the municipal year next succeeding such loan.

SEC. 14. Upon receiving an application for the making of any improvement of any street, lane or alley, the said board shall proceed to investigate the same; and if they shall determine that such improvement is necessary and proper, they shall report the same to the common council, accompanied with a statement of the expense thereof, and a proper ordinance or order directing the work, and shall in such estimate specify how much of said expense, in their opinion, may be properly chargeable to real estate especially benefited by such improvement, and how much thereof may be properly chargeable to and paid out of the general fund, or out of the proceeds of any general tax authorized to be levied by said city. Having reported on such application, and recommending that the improvement be made, or disapproving of the doing of it, as is provided for in the above mentioned act, the common council may then, in either case, order the doing of such work or the making of such public improvement, after having first obtained from said board an estimate of the expense thereof; and shall in such order specify what amount of said estimated expense shall be

assessed upon the property deemed especially benefited, and what amount shall be chargeable to and be paid in of the proceeds of the general fund or out of the proceeds of any general tax authorized to be levied by said city.

SEC. 15. No alderman shall, during his continuance in office, receive any compensation for his services, or be appointed to or competent to hold any office, the emoluments of which are paid from the city treasury, or paid by fees, in pursuance of any act or ordinance of the common council, and no member of the common council, or other city officer, shall be directly or indirectly interested in any contract, the expense or consideration of which is to be paid under any ordinance or resolution of the common council.

SEC. 16. The power of assessment conferred by section 1 of the act amendatory of the revised charter of said city, approved February 15, 1865, is hereby extended to and made to include the laying or relaying of any gas or water service pipe, to be paid for wholly or in part by special assessment, and the doing of which is within the authority and discretion of the municipal government of said city, and the commissioners of the board of public works shall assess the amount directed by the common council to be assessed for any such improvement, with the costs of the proceedings therein, upon the real estate by them deemed specially benefited by such improvement, in proportion, as nearly as may be, to the benefit resulting thereto.

SEC. 17. In case it shall hereafter be determined by judicial decision that any of the improvements authorized by law, or by this act, to be done or made by the city, cannot be paid for in whole or in part by special assessment for benefit, then it shall be lawful for the common council, and they are hereby authorized to levy and collect taxes for such purposes on all the property assessed in said city for taxation for general revenue purposes.

CHAPTER III.

BOARD OF POLICE.

SECTION 1. The board of police, in their annual estimate of police expenses, made to the city comptroller, shall, if in their judgment the public weal requires it, recommend to the common council such additional police patrolmen, and also such additional sergeants, not exceeding twenty, as may be necessary.

SEC. 2. The common council may, on such recommendation of said board, provide by ordinance for such increase of the patrol force: *Provided, however,* it shall require three-fourths of all the aldermen elected to pass such ordinance, such vote to be taken by ayes and noes, and entered on the records of the council.

SEC. 3. The board of police commissioners shall devote their entire time, if requisite, to the duties of their office, and shall receive an annual salary of not less than twenty-five hundred dollars, to be fixed by the common council. The superintendent of police shall receive an annual salary of not less than three thousand dollars. The deputy superintendent shall receive an annual salary of not less than twenty-five hundred dollars. Each captain of police shall receive an annual salary of not less than fifteen hundred dollars per annum. Each sergeant and policeman detailed as detectives shall receive an annual salary of not less than twelve hundred dollars. Each patrolman shall receive an annual salary of not less than eight hundred dollars nor more than one thousand dollars, the amount to be fixed by the board of police commissioners, with the concurrence of the common council. Said salaries so to be fixed, shall not be in any wise increased or diminished during the municipal year.

SEC. 4. The board of police commissioners may employ necessary clerks, and fix their annual salary, to be paid out of the police fund.

SEC. 5. It shall be lawful for the person designated by the board as the custodian or depository of stolen property, to sell the

same, after due notice, at public auction, under and pursuant to such general orders and regulations as the board of police shall prescribe. The proceeds of such sales, after deducting the cost of storage, advertising, selling, and, in cases of animals, their keeping, shall be paid over to the president of said board, to be by him paid into the city treasury, to the credit of the police life and health insurance fund, as already provided by law.

SEC. 6. It shall be unlawful for any person other than a police officer or patrolman to wear a star, or other similar device like that of a policeman, under penalty of not less than twenty-five dollars nor exceeding one hundred dollars.

FIRE DEPARTMENT.

SEC. 7. The fire marshal, the assistant fire marshals, the members of the board of police, and such members of the fire department as the board of police may designate and appoint, shall be fire wardens, and shall have and exercise all the rights and powers, and shall perform all the duties now conferred, exercised, imposed or required by law of fire wardens. The fire wardens are hereby authorized to enter upon and inspect any building, place or places, for the purpose of ascertaining whether the same is or are in a safe condition, and, if not, to direct or cause the same to be made so.

SEC. 8. The common council may, in the annual appropriation bill, by a vote of two-thirds of all the aldermen authorized to be elected, to be taken by ayes and noes, and entered upon the records of the council, on the recommendation of the board of police, fix the salaries of the members of the fire department at not exceeding the following sums respectively per annum: fire marshal, three thousand dollars (\$3,000); first assistant fire marshal, one thousand eight hundred dollars (\$1,800); second assistant fire marshal, one thousand six hundred dollars (\$1,600); third assistant fire marshal, one thousand four hundred dollars (\$1,400); engineers of fire engines, one thousand four hundred dollars (\$1,400); foremen of companies, one thousand two hundred dollars (\$1,200);

fire policemen, nine hundred dollars, (\$900); and watchmen of engine houses, seven hundred and twenty dollars (\$720).

SEC. 9. The board of police are hereby empowered to regulate the construction of chimneys, and to compel the cleaning thereof; to prevent the setting up or construction of boilers, stoves, ovens, or other things, in such a manner as to be dangerous; to prohibit the deposit of ashes in unsafe places; to regulate the carrying on of manufactories dangerous in causing or promoting fires; to regulate or prohibit the sale or use of fireworks in said city; to raze or demolish any building, wall or erection which, by reason of fire or any other cause, may become dangerous to human life or health, or tend to extend a conflagration.

SEC. 10. The board of police are hereby authorized to establish, by order or regulation, grades in the office of assistant fire marshals, to be known as first, second and third assistant fire marshals.

SEC. 11. It shall be the duty of the said assistants, if in their power, to attend all the fires happening in any division of the city, and in case of the absence of the fire marshal at any fire, it shall be the duty of the first assistant to take charge of the organization, and he shall have and exercise all the powers of the fire marshal; and in case of the absence of both the fire marshal and first assistant, the second assistant shall have and exercise the duties and powers of fire marshal; and in case of the absence of the marshal and first and second assistants, the third assistant shall be invested with the powers and perform the duties of fire marshal.

SEC. 12. The board of police may, two-thirds of the common council concurring, cause the ordinary repairs of fire engines, fire apparatus, and of the fire alarm telegraph, to be done in any shop belonging to said city, and for that purpose may employ additional mechanics and provide additional tools and machinery, if absolutely required.

SEC. 13. The police commissioners of the city of Chicago are hereby authorized and required to make an investigation into the origin of every fire occurring in said city, and for that purpose

they are hereby invested with the same powers and jurisdiction as are now possessed by the police justices of said city.

SEC. 14. It shall be the duty of the common council, upon the recommendation of the Chicago board of underwriters, to appoint a qualified voter of the city of Chicago, when so recommended by said board of underwriters, whose duty it shall be to act with the board of police commissioners of said city in all matters relating to the organization, government, appointment and discipline of the fire department in said city. The person appointed shall have the same powers and authority in reference to the fire department as is now by law conferred upon the several members of said board of police commissioners, but he shall have no authority or right to act as a member of said board for any other purpose than that herein specified.

SEC. 15. The person so appointed shall hold his office for one year from the date thereof, and until his successor is qualified and appointed, unless sooner removed by the said common council upon the recommendation of the said board of underwriters, and he shall take the same oath, and make and execute the same bond to said city, in the same manner as the several members of said board of police commissioners are now required by law to do, and he shall, under the direction of the common council and the said Chicago board of underwriters, devote his exclusive attention to the interest of the said fire department.

SEC. 16. The salary of the person appointed as herein provided, shall be fixed, at the time of such appointment, by the said board of underwriters, and the salary so determined upon shall be paid by the said board of underwriters in equal monthly payments, and no other or additional compensation shall be allowed by the common council to said commissioner, for services rendered in accordance with the provisions of this act, nor shall the city, in any event, be liable to said commissioner for his compensation for such services.

SEC. 17. When such appointment is made by the common council, the person so appointed, upon taking the prescribed oath

and filing the bond required by this act, shall be deemed legally qualified, and shall at once enter upon the discharge of his duties as a member of said board of police commissioners in matters only pertaining to the fire department of said city.

SEC. 18. In case of either the death, resignation or removal of the person so appointed, the common council shall fill the vacancy in the same manner as herein provided for the appointment thereof.

SEC. 19. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 20. In addition to the report now required to be made by the police commissioners to the common council, they shall make to the said council annually, a report of the number and location of all fires occurring during each month in the year; the character of the building; for what purpose used; the amount of insurance on buildings and contents, with such other facts and practical suggestions as they may deem beneficial.

CHAPTER IV.

BOARD OF HEALTH.

SECTION 1. The mayor of the city of Chicago, with six other persons to be appointed on the passage of this act by the judges of the superior court of Chicago, each of whom shall be a resident of said city, and three of whom, and no more, shall be physicians, shall constitute the board of health of the city of Chicago. Said board of health shall have, and there is hereby conferred on said board, such powers and duties as may be necessary to promote or preserve the safety or health of the city, or improve its sanitary condition.

SEC. 2. Said board of health may enact such by-laws, rules and regulations as it may deem advisable, in harmony with the provisions and objects of this act and all acts the object of which is to promote and preserve the health, safety and sanitary condition

of the city, now existing or that may hereafter be passed, not inconsistent with the constitution or laws of this State, for the regulation of the action of said board, its officers and agents, in the discharge of its and their duties, and for the regulation of the citizens or public, and from time to time may alter, amend or annul the same.

SEC. 3. The six members appointed as herein provided shall be divided into three classes: the first class shall hold office for two years; the second class for four years, and the third class for six years; and they shall determine by lot at the first meeting of said board which two of them shall hold office for the respective terms of two years, four and six years. Vacancies occurring in the said board by the expiration of the term of office of either class, shall be filled by appointment by the judges of the superior court of Chicago for six years; any vacancy caused by either removal, resignation or death, shall be filled in like manner for the unexpired term. The members of said board appointed as herein provided, shall receive an annual salary of not less than five hundred dollars, to be fixed by the common council. Before entering upon the duties of their office, they shall take the oath prescribed for State officers in the constitution of the State, and they shall also give bonds to the said city in the sum of twenty-five thousand dollars each, conditioned for the faithful performance of their duties as members of the board of health under the provisions of this act, said bonds to be approved by the judges of the superior court of Chicago, and filed with their oath of office in the office of the city clerk. And in case of failure to comply with the requirements of this section, prior to the first meeting of said board, the office of such member, so failing to take the prescribed oath and give a bond, shall be deemed vacant, and shall be filled as in this act provided. The members of the board of health may be removed from office for like cause and in like manner as the board of police or the members of the board of public works.

SEC. 4. It shall be the duty of the board of health, on or before the first Monday in April of each year, to report in writing the condition of the health department, and a statement of the expenditures of the health board for the year, to the common council.

SEC. 5. The said board of health shall meet at the office of the mayor of the city of Chicago, on or before the first Monday of April next, and organize by the election of one of their number president and by appointing a competent person to be secretary of said board, and the successive presidents of said board of health shall be annually elected from the members thereof. The secretary shall keep a correct and complete record of all the acts, doings and proceedings of said board; he shall receive an annual salary to be fixed by the board, and shall hold office during the pleasure of said board, but shall not be a member thereof.

SEC. 6. The board of police shall appoint such additional police patrolmen, to be subject to the rules and regulations of the police department, as the board of health may, from time to time, in writing, request, to be detailed as a sanitary squad, and be paid out of the health fund, the length of time for which they are wanted to be stated in said written request.

SEC. 7. It shall be the duty of the board of health to prepare and submit to the comptroller, on or before the first day of May in every year, an estimate of the whole cost and expenses of providing for and maintaining the health department of said city during the current fiscal year, which estimate shall be laid, by said comptroller, before the common council with his annual estimate. The common council may provide for the amount so required in the general tax levy to be laid on said city. Said money shall be paid into the city treasury, and shall be styled "the health fund," and shall be drawn out for health purposes on the warrant of the city comptroller, which shall be countersigned by the president or acting president of the board of health. The warrant of the comptroller shall not be drawn on said fund except on the certificate of the president or acting president of said board of health.

SEC. 8. In case of pestilence or epidemic disease, or of danger from anticipated or impending pestilence or epidemic disease, or in case the sanitary condition of the city should be of such a character as to warrant it, it shall be the duty of the said board of health to take such measures, and to do, and order, and cause to be done, such acts for the preservation of the public health (though not

herein, or elsewhere, or otherwise authorized), as it may, in good faith, declare the public safety and health to demand.

SEC. 9. The common council, for the purpose of providing for the contingency mentioned in the preceding section, may order the mayor and comptroller to borrow a sufficient amount to cover such extraordinary expenditure for a space of time not exceeding the close of the next municipal year, which sum, together with the interest, shall be added to the amount authorized to be raised in the next general tax levy, and embraced therein.

SEC. 10. Any person or corporation who shall violate any of the provisions of the health laws or ordinances of the city, or any of the by-laws, rules or regulations of the board of health, in addition to existing penalties, shall be subject to a fine of not less than five nor more than five hundred dollars, and on failure to promptly pay the same, may be imprisoned in the county jail, bridewell, or house of correction, as in other cases of failure to pay a fine, or such person may be both fined and imprisoned, in the discretion of the court or magistrate.

SEC. 11. All laws, or parts thereof, relating to the health department of the city of Chicago, now in force, not inconsistent with this act, are continued in force, and all powers therein conferred on the present board of health, not inconsistent herewith, are hereby conferred on the board of health of the city of Chicago, as provided for in this act: *Provided*, that nothing in this act contained shall be construed as in any manner giving to the said board of health any power or control as police commissioners over the police department of the city of Chicago.

CHAPTER V.

COMMON COUNCIL.

SECTION 1. The common council of the city of Chicago shall have power, by ordinance:

First — To prevent the interment of the dead within the present or future limits of the city.

Second — To provide for the vacation of the several cemeteries in said city by the purchase and extinguishment of the titles of lot owners, or otherwise.

Third — To purchase grounds and erect thereon a city hall, and provide for the payment thereof by the issuing and negotiating of the bonds of said city, or by the levy and collection of taxes, or partly by both: *Provided, however*, that no such levy shall in any one year exceed two mills on the dollar on the assessed value of the real and personal estate in the city, made taxable by the laws of this State.

Fourth — To provide for the inspection and regulation of stationary steam engines and boilers.

Fifth — To appropriate not exceeding ten thousand dollars (\$10,000) in any one year from the city treasury for celebrating the Fourth of July, for funeral occasions, and to defray the expenses of entertaining official visitors of sister cities: *Provided, however*, such order or appropriation shall be passed only by the votes of at least three-fourths of all the aldermen elected, such vote to be entered by ayes and noes on the records of the common council.

Sixth — To prescribe, regulate and control the time or times, manner and speed of all boats, crafts and vessels, passing the bridges over the Chicago river and its branches.

Seventh — To control and regulate the construction of buildings, chimneys and stacks, and to prevent and prohibit the erection or maintenance of any insecure or unsafe buildings, stack, wall or chimney, in said city, and to declare them to be nuisances, and to provide for their summary abatement.

Eighth — To cause the seizure and destruction or other disposition of tainted or unwholesome meat, butter, vegetables, fruit or provisions.

Ninth — To authorize the use of the streets and alleys in said city by railroad companies, or city railway companies, for the purpose of laying tracks and running cars thereon: *Provided, however*, permission or authority shall not be given, nor shall any such grant or permission already given be extended, unless by vote at least [of] three-fourths of all the aldermen elected, such votes to be entered by ayes and noes on the records of the council: *And provided, further*, that no grant, consent, contract or permission

heretofore given or made, or hereafter to be made or given, shall in any case be extended until within one year of the expiration of such grant, consent, contract or permission: *And provided, further*, that in case of a veto by the mayor, any such grant or permission shall receive the votes of three-fourths of all the aldermen elected, to take effect as an act or law of the corporation.

Tenth — To direct, regulate and prohibit the location and management of houses for the storing of gunpowder, or other combustible material, within the city and within one mile of the limits thereof.

Eleventh — To declare that it shall be unlawful for any hall, theatre, opera-house, church, school-house, or building of any kind whatsoever, to be used for the assemblage of people, unless the same is provided with ample means for the safe and speedy egress of the persons therein assembled in case of alarm.

Twelfth — To control, regulate or prohibit the use of steam whistles within the limits of the city.

Thirteenth — To provide for the borrowing, from time to time, a sum of money not exceeding five hundred thousand dollars in the aggregate, to pay existing debts incurred by said city for sewerage works, and to increase the sewerage works of said city: *Provided, however*, the said loan or loans shall be made in strict conformity with the provisions of chapter sixteen of the act of 1863, to which this is an amendment.

Fourteenth — To direct and require the board of public works to let the cleaning of the streets, alleys, lanes and highways, or ordinary repairs on the same, or any portion or part thereof, to the lowest reliable and responsible bidder or bidders. The said letting and contracts to be in all respects governed by the provisions of the law in regard to the letting of contracts for improving the streets: *Provided, however*, it shall require two-thirds of all the aldermen elected to pass any such ordinance, such vote to be taken by ayes and noes, and entered on the records of the council.

Fifteenth — To direct and authorize the board of health to let the scavenger work, night or day, or both, to the lowest reliable and responsible bidder or bidders, or in case a proper contract cannot be made, to authorize said board to do said work. Such letting to be governed in all respects, as nearly as may be, by the provisions of the charter in reference to the letting of street improvements.

Sixteenth — To regulate or prohibit the carrying or wearing by any person under his clothes, or concealed about his person, any pistol or colt, or slung shot, or cross knuckles, or knuckles of lead, brass or other metal, or bowie knife, dirk knife, or dirk or dagger, or any other dangerous or deadly weapons, and to provide for the confiscation or sale of such weapons.

Seventeenth — To sell or otherwise dispose of any grounds heretofore purchased for a bridewell or house of correction.

Eighteenth — To purchase grounds either within or without the corporate limits of said city, and erect the necessary buildings thereon for a city bridewell or house of correction.

Nineteenth — To provide for the payment of the same by the levy and collection of taxes, or the issue and negotiation of bonds, or partly by both.

Twentieth — To adopt all necessary rules and regulations for the government of said institution, and the proper discipline of the inmates thereof, and also to purchase all materials, tools and machinery necessary to secure the most beneficial results from the labor of said inmates.

Twenty-first — To require the superintendent, warden or keeper to keep such book or books of account as shall fully and in detail show all the receipts and expenditures of said institution, and to require a report of the condition thereof from time to time.

Twenty-second — The common council shall have power to require the board of police commissioners to detail a sufficient number of men from the police force of the city to take charge of the public pounds of said city, and to properly enforce the pound ordinances thereof, and to provide for the election of one or more pound-keepers, and to provide for the payment of such pound-keepers, either by salary or fees, or partly by both, and to make all necessary rules and regulations for the enforcement of any pound ordinance of said city.

Twenty-third — To allow dummies or steam engines to be used on the street railways of said city, by ordinance and contract with said railway companies, and to direct the kind of dummies to be used, the time and speed of running the same, and the price at which passengers shall be conveyed: *Provided*, the fare on such railways shall not exceed five cents for each passenger within the present or future limits of said city, nor exceeding eight cents

from any point within such limits to any point not more than three miles outside such limits; also at any time to order a total or partial discontinuance of the use of such dummies and steam engines in said city: *Provided, also*, that it shall require three-fourths of all the aldermen elected to pass any such ordinances or make any such contract: *And provided further*, that no privilege to use or run dummies or steam engines, or other than horse motive power, shall ever be allowed upon any street or horse railway except the party or parties, company or corporations asking for such privilege shall first enter into and execute an irrevocable contract with the city of Chicago, with approved bond in a sum not less than one hundred thousand dollars, to forever thereafter give and pay over into the city treasury, at the end of each and every month, one-fifth of each and every fare collected and received by said company, party or corporation, from persons or passengers carried or transported over said railway, and for tickets and commutation. Such monthly payments to be accompanied by a sworn statement of the president or secretary of the company, showing the actual amount received during the month by them for fares, tickets, or commutations, and the books of said party, company or corporation to be thereafter at all times open to inspection by any duly authorized city official.

Twenty-fourth — That the common council shall have power and authority to regulate and control the slaughtering of all animals in the city or within four miles thereof, intended for consumption or exposed for sale in the city, and to enforce by additional ordinances any regulation, contract or law heretofore made on the subject.

Twenty-fifth — To adjust and settle with property owners any differences arising by reason of any changes made in the dock lines by the council, on the Chicago river or its branches, if in its discretion the same may be deemed just and proper.

Twenty-sixth — To make, publish, ordain, amend and repeal all such ordinances, by-laws and police regulations, not contrary to the constitution of this State, for the good government and order of the city, and the trade and commerce thereof, as may be necessary or expedient to carry into effect the powers vested in the common council, or of any officer of said city, by this act, and enforce observance of all rules, ordinances, by-laws, police, sani-

tary and other regulations made in pursuance of this act, or the act to which this is an amendment, the amendments thereto, or any other act concerning said city, by punishment, fine or imprisonment in the bridewell or house of correction, or both, in the discretion of the magistrate or court before which conviction may be had: *Provided, however*, such fine shall not exceed five hundred dollars, nor the imprisonment two years.

Twenty-seventh — To prohibit the piling of lumber within the fire limits, by a vote of two-thirds of all the aldermen elected.

CHAPTER VI.

MISCELLANEOUS.

SECTION 1. Whenever any permit shall be issued by the board of public works, granting to any person or corporation the use or occupancy of any street, alley or highway, or part thereof, for building purposes, for the depositing therein of material, or other proper purpose, said board shall take from such person or corporation a bond, in an adequate amount, with two good and sufficient sureties, conditioned that such person or corporation shall be liable for any and all damages occasioned by such use or occupation, or resulting therefrom; and in every case of recovery and judgment against the city, in any wise growing out of permitting or suffering such use or occupation, or which resulted therefrom, where due notice of the pendency of such suit has been given, such judgment shall be conclusive, not only as to the damages recovered, but as to the liability of the party or corporation and sureties.

SEC. 2. Whenever in any case, injury shall be sustained by any individual, in consequence of any defect in or obstruction upon any sidewalk, along the premises of a non-resident owner, whose duty it is hereby declared to be to keep the same, at all times, in a good and thorough state of repair, and a suit for damages be commenced against the city, the city of Chicago may attach such premises and hold the same to abide the judgment in the case, and in case of a judgment being had therefor against the city, the city may proceed under such attachment against said premises

in the same manner as provided by law for creditors against non-resident debtors, and the judgment against the city shall be *prima facie* evidence in such suit or proceeding: *Provided, however,* That such non-resident owner may, by filing a bond as in other cases of attachment, obtain a release of such premises from such attachment, and in case of such owner desiring a release of such premises before the determination of such suit against the city, he may do so upon giving and executing his bond, with security, to be approved by the mayor, for the amount of damage claimed, conditioned to hold harmless the city against whatever judgment may be rendered in the case.

SEC. 3. Whenever any board or officer of the city shall let any work or improvement, which shall require the digging up, use or occupancy of any street, alley, highway, or public grounds of said city, there shall be inserted in said contracts substantial covenants requiring such contractor, during the night time, to put up and maintain such barriers and lights as will effectually prevent the happening of any accident in consequence of such digging up, use or occupancy of said street, alley, highway, or public grounds, for which the city might be liable, and also such other covenants and conditions as experience has or may prove necessary to save the city harmless from damages. And also to provide, in such contracts, that the party contracting with the city shall be liable for all damages occasioned by the digging up, use or occupancy of the street, alley, highway, or public grounds, or which may result therefrom, or which may result from the carelessness of such contractor, his agents, employes, or workmen.

SEC. 4. Whenever any work or improvement is let by contract to any person or persons, firm or corporation, the board or officers of the city letting the same shall, in all cases, take a bond from such person, persons, or firm or corporation, with good and sufficient sureties, in such amount as shall not only be adequate to insure the performance of the work in the time and manner required in such contract, but also to save, and indemnify, and keep harmless the said city against all liabilities, judgments, costs and expenses which may in anywise come against said city, in conse-

quence of the granting of such contract, or which may in anywise result from the carelessness or neglect of said person, firm, or corporation, or his or its agents, employes or workmen, in any respect whatever; and in every such case where judgment is recovered against the city by reason of the carelessness or negligence of such person, firm or corporation so contracting, or his, their or its agents, employes or workmen, and when due notice has been given of the pendency of such suit, such judgment shall be conclusive against such person, firm or corporation, and his, or their, or its sureties on such bond, not only as to the amount of damages, but as to their liability.

SEC. 5. The city clerk shall be authorized to appoint one or more deputies, subject, however, to the approval of the common council. Such deputies, after confirmation by the council, and after having taking the oath required to be taken by the clerk, may, in case of the sickness or absence of the clerk, perform all the duties imposed by law, or any ordinance of the city, on said clerk, and shall likewise be subject to the same liabilities and penalties.

No ordinance shall be finally adopted by common council until the same shall be engrossed by the clerk, unless otherwise ordered by three-fourths of all the aldermen elected, except such orders and ordinances as are sent to the council by the board of public works, relating to public improvements paid for by special assessments.

The city clerk shall receive an annual salary of not less than twenty-five hundred dollars nor more than three thousand five hundred dollars, to be fixed by the common council.

SEC. 6. The clerk shall record all orders and ordinances passed by the common council, in a proper book or books, with proper indexes; and transcripts from such books, certified by him under the corporate seal, shall be evidence in all courts and places, in like manner as if the originals were produced.

SEC. 7. Every ordinance, resolution, order or by-law of the common council may be read in evidence in all courts and legal

proceedings, from the volume of ordinances published, or to be published, by order of the said common council, without any proof of the passage or publication thereof; but such publication shall only be *prima facie* evidence of its passage, or that the same has been duly published in the corporation newspaper.

SEC. 8. All land surveyors, licensed by the board of public works in pursuance of section six of chapter six of the revised charter, approved February 13, 1863, shall have the same powers to make surveys within the county of Cook as they may have within the city of Chicago, and like effect and validity shall be given to their acts, plats and surveys as are or may be given to those of the county surveyor.

SEC. 9. So much of section twenty-five of chapter six, of section twenty-two of chapter ten, of section fourteen of chapter thirteen, of section thirteen of chapter fifteen, of the revised charter of said city, approved February 13, 1863, and so much of section thirty-three of an act approved February 16, 1865, entitled "An act to amend an act entitled 'An act to reduce the charter of the city of Chicago, and the several acts amendatory thereof, into one act, and to revise the same,'" approved February 13, 1863, as requires the warrants therein described to be *countersigned* by the president or acting president of the board of public works, the president or acting president of the board of police, the president of the board of education, the president or vice president of the board of guardians of the reform school, and by the president of the board of police and the mayor, be and the same is hereby repealed.

SEC. 10. That the latter clause of section sixteen of chapter nineteen of the revised charter, approved February 13, 1863, be and the same is hereby so amended as to read as follows: "Fifteen cents shall be taxed to each lot against which judgment is rendered, five cents to be for clerk's and judge's fees, and ten cents for advertising notice of sale."

SEC. 11. In case of a vacancy occurring in any office created by this act, the mayor shall, by and with the advice and consent of

the council, fill the same for the unexpired term, if the same be not otherwise herein provided for.

SEC. 12. All of the land now owned by the city in section twenty-seven (27) in township forty (40) north, range fourteen east, in Cook county, shall be added to, and form a part of, Lincoln park, and for the purpose of connecting the same with said park, the city may acquire, by purchase, gift or condemnation, a strip of land not exceeding three hundred feet in width, lying between said land and said park, and in case it is necessary to condemn, the proceedings shall be conducted according to the provisions of the charter in relation to condemning lands for streets; but the damages allowed shall be wholly paid by taxation on the taxable property in the town of North Chicago, or by voluntary contribution.

SEC. 13. The proceedings, notices and ordinances of said city and the departments thereof, shall be published in the newspaper printed in the German language having the largest daily circulation in said city as fully as they are now required to be published in the corporation newspaper: *Provided*, that in no judicial or other proceeding shall the publication in such German paper be called in question, either as to the fact of its publication or to the correctness thereof.

CHAPTER VII.

SCHOOLS.

SECTION 1. The common council shall have power, when requested by the board of education,

First — Erect, purchase or hire buildings suitable for school houses, and keep the same in repair.

Second — Buy and lease sites for school houses, with the necessary grounds.

Third — Furnish schools with the necessary fixtures, furniture and apparatus.

Fourth — Establish, support and maintain schools, and supply

the inadequacy of the school fund for the payment of the city teachers, erection and fencing school buildings, from school taxes.

SEC. 2. The board of education shall lay off and divide the city into school districts, and from time to time alter or subdivide the same, or create new ones, as circumstances may require.

SEC. 3. The common council shall have power annually to levy and collect a school tax, including the amount levied for a sinking fund, not exceeding five mills on the dollar on the assessed value of all real and personal estate in the city made taxable by the laws of this State, to meet the expenses of purchasing grounds for school houses, erecting and repairing school houses, supporting and maintaining schools, and payment of interest on school bonds; and the board of education are hereby authorized, unless prohibited by the common council, to continue the public schools notwithstanding any deficiency in the appropriation and tax levied for that purpose in any year; and, to provide for the expense thereby incurred, the comptroller may, with the sanction of the mayor and finance committee of the common council, borrow the necessary money, which shall be repaid out of the school tax for the next year.

SEC. 4. The superintendent of public schools shall receive such annual salary as shall be fixed by the board of education, at the time of fixing teachers' salaries each year, which shall not be increased or diminished thereafter during the year.

SEC. 5. The common council shall have the power, and is hereby authorized to provide by ordinance for issuing and negotiating the bonds of the city of Chicago, payable, principal and interest, in New York, in twenty years from date, and bearing interest at a rate not exceeding seven per cent. per annum, payable semi-annually, to an amount not exceeding five hundred thousand dollars, for the purpose of purchasing and improving school grounds, and erecting or constructing school houses. Said bonds shall be in the ordinary form of bonds of said city, and shall be issued in denominations of five hundred or one thousand dollars each, as the mayor and comptroller may deem for the best interest of the city; and an annual tax of not exceeding one-fourth of one

mill on the dollar, on the assessed value of all taxable real and personal estate in said city, shall be levied and collected as a sinking fund to pay said bonds at their maturity, and for the payment of such bonds as may have been previously issued for schools or school purposes. Such sinking fund when collected shall be invested first in school bonds, and if these cannot be obtained, then in city bonds.

SEC. 6. It shall be the duty of the common council to provide for the issuing of as many of said bonds as the board of education may require from time to time, and the proceeds of said bonds, when sold, shall be held as other school funds, and only paid out for permanent purchases or improvements of school grounds, and the construction of new school buildings.

SEC. 7. The board of education shall have power to confer the usual collegiate degrees, whenever they shall deem it best for the educational interests of the city, and to prescribe the necessary and proper rules for the same.

SEC. 8. The board of education shall elect, biennially, a clerk, whose office shall be denominated "clerk of the board of education," and whose salary shall be fixed annually by said board. The duties of said clerk shall consist of keeping the records and minutes of the board, and to be official his signature must be attached to them on the books and records of the board. He shall also take general charge of the rooms of the board, and the property contained therein.

SEC. 9. The common council is empowered to establish evening schools, the same to be under the control of the board of education, and the funds for their support to be raised by special appropriation by the common council.

SEC. 10. All laws or parts of laws conflicting or inconsistent with these amendments, are hereby repealed.

SEC. 11. This act shall be a public act and shall be in force from and after its passage.

APPROVED *March 9, 1867.*

AN ACT

IN REGARD TO THE BOARD OF PUBLIC WORKS OF THE CITY OF CHICAGO.

SECTION 1. *Be it enacted by the People of the State of Illinois in the General Assembly,* That nothing contained in any act of this general assembly heretofore passed, shall in any manner be construed so as to repeal section sixteen of an act approved February 15th, 1865, entitled "An act to amend an act entitled 'An act to reduce the charter of the city of Chicago and the several acts amendatory thereof into one act, and to revise the same,'" approved February 13th, 1863.

SEC. 2. This act shall be a public act and take effect from and after its passage.

APPROVED *March 7, 1867.*

AN ACT

In amendment of and supplementary to an act entitled "An Act to reduce the Charter of the City of Chicago, and the several acts amendatory thereof, into one act, and to revise the same," approved February 13th, 1863, and the act amendatory thereof, approved February 15th, 1865.

Be it enacted by the People of the State of Illinois represented in the General Assembly:

SECTION 1. The common council of the city of Chicago shall have power to establish or change the dock lines of Chicago river and of Chicago harbor so as to facilitate navigation on the same; to cause lamp posts to be erected upon any of the streets of said city, and to cause water and gas service pipes, with their necessary stop cocks and other fixtures, to be constructed and laid so as to connect with the gas or water mains in the streets of said city.

SEC. 2. The provisions of the acts to which this is supplementary and amendatory, as to the manner of making application for any improvement to be executed by said city, are hereby made to apply to the improvements specified in the foregoing section.

SEC. 3. Upon receiving an application for the making of any improvement, the doing of which is within the discretion and control of the municipal government of said city, excepting sewers and main water pipes, the said board shall proceed to investigate the same, and if they shall determine that such improvement is necessary and proper, they shall report the same to the common council, accompanied with a statement of the expense thereof, and a proper ordinance or order directing the work, and shall in such estimate specify how much of said expense in their opinion may be properly chargeable to real estate especially benefited by such improvement, and how much thereof may be properly chargeable to and paid out of the general fund, or out of the proceeds of any general tax authorized to be levied by said city. Having reported on such application, and recommending that the improvement be made, or disapproving of the doing of it, as is provided for in the above mentioned act, the common council may then, in either case, order the doing of such work, or the making of such public improvement, after having first obtained from said board, an estimate of the expense thereof, and in such order specify what amount of said estimated expense shall be assessed upon the property deemed specially benefited, and what amount shall be chargeable to and be paid in of the proceeds of the general fund, or out of the proceeds of any general tax authorized to be levied by said city.

SEC. 4. Whenever any order shall be passed by the common council of said city, pursuant to the authority conferred by chapter seven of the act of 1863, of which this is an amendment, for the filling, grading, leveling, paving, curbing, walling, graveling, macadamizing, planking or repairing of any street, lane, alley or highway, or for the construction, reconstruction, laying or relaying of any sidewalk, or any private drain, or for the making of any public improvement on account of which authority is given by said chapter seven (7) to levy a special assessment (excepting sewers and main water pipes), or whenever any such order shall be so passed, for the establishing or changing the dock-lines of Chicago river or of Chicago harbor, or for the laying of gas or water service pipes, or for the erection of lamp-posts, upon any of the streets of said city, the commissioners of

the board of public works shall, forthwith, proceed to assess the amounts directed by the common council to be assessed for that purpose, with the costs of the proceedings therein, upon the real estate by them deemed specially benefited by any such improvement, in proportion, as nearly as may be, to the benefit resulting thereto. The assessment in such cases shall be made and returned, and may be confirmed and collected in the manner provided by chapter seven of the act above mentioned, so far as the provisions of said chapter are applicable, and excepting in cases where such order of council shall require the appropriation or condemnation of any land or real estate, according to the provisions of sections twenty-three and twenty-four of said chapter.

SEC. 5. Under the provisions of section 34 of chapter 2 of the act of which this is supplementary, approved February 13, 1863, the common council is hereby authorized, in the event that any improvement shall be ordered after the making of the annual appropriation, some portions of the expense of which shall be assessed by the commissioners of the board of public works, on some lot or lots of land owned by said city, to appropriate and borrow money for the payment of such assessments, as is provided for other cases enumerated in said section.

SEC. 6. Upon the passage of any order referred to in the fourth section of this act, the board of public works may, in their discretion, cause said improvement to be made, and paid for out of any moneys in the treasury at their disposal, and afterwards cause the expense thereof, together with all costs, to be reimbursed by a special assessment, to be levied and collected as in other cases.

SEC. 7. Section thirty-nine of chapter seven of the act of 1863, of which this is amendatory, is hereby amended by striking out therefrom the words "of all improvements at the intersections of streets or alleys, or of streets and alleys (excepting sidewalks and area or street walls)."

SEC. 8. Sections one, three and five of the act approved February 15th, 1865, in amendment of said act, approved February 13th, 1863, are hereby repealed.

SEC. 9. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED *March 6, 1867.*

AN ACT

IN REFERENCE TO THE REFORM SCHOOL OF THE CITY OF CHICAGO,
STATE OF ILLINOIS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That warrants for commitment of any child to the Chicago reform school, shall run in the name of the people of the State of Illinois. And all warrants on which any boy has been heretofore committed may be amended by the authority issuing the same, or their successors in office, by inserting the words, "The People of the State of Illinois" over such mittimus, and thereafter the same effect shall be given to such mittimus as if such words had been originally inserted.

SEC. 2. Parents and guardians are hereby permitted and empowered to place in said school, by permission of the guardians and superintendent of said school, any child of theirs, or under their control, between the ages of six (6) and sixteen (16) years, and when said child is so received, it shall be subject to the same rules, and may be held for the same time, and on the same terms in every respect as if it had been committed to said school by the provisions of law in reference to said school, and shall be discharged from said school in the same manner as by law the other inmates of said school are discharged, and said parent or guardian shall pay the officers of said school, for the use of the reform school fund, such sums annually as may be agreed upon by the parties.

SEC. 3. If any officer or other person procure the escape of any boy or girl, committed to the Chicago reform school, or connive at or aid, conceal or assist in any such escape, or assist any person after such escape, he, she or they shall, upon conviction thereof, pay a

fine not exceeding one hundred dollars (\$100), and be confined in the county jail not exceeding six (6) months.

SEC. 4. That section seven (7), of chapter fourteen (14), of an act approved February 13th, 1863, entitled "An act to reduce the city of Chicago, and the several acts in amendment thereof into one act, and revise the same," be and the same is hereby repealed, and that the duties of commissioner, imposed by section eight (8) of said act, be performed by either of the judges of the superior or circuit court in said city, and whenever any police magistrate or justice of the peace of said city, shall have brought before him any boy or girl, within the ages of six (6) or sixteen (16) years, who he has reason to believe is a vagrant, or is destitute of proper parental care, or is growing up in mendicancy, ignorance, idleness or vice, he shall cause such person, together with the warrant on which he was arrested, and the list of witnesses which may be necessary to establish the situation and condition of such boy or girl, to be transmitted to one of the judges of the superior or circuit court, either in term time or vacation, and thereupon it shall be the duty of such judge to proceed in the same manner, and give the same notice that said commissioner is in said section eight (8) required to give, and if upon such examination said judge shall be of opinion that the said boy or girl is a proper subject for commitment to the reform school, and that his moral welfare, and the good of society, require that he should be sent to said school for instruction, employment, and reformation, he shall so decide, and shall direct the clerk of the court of which he is judge to make out a warrant of commitment to said reform school, and such child shall thereupon be committed, and such judge and the clerk of the court shall receive of the city of Chicago, the same fees that are prescribed by law for fees in civil cases.

SEC. 5. This act shall take effect from and after the date of its passage.

APPROVED *March 5, 1867.*

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